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HELEN SWARTZ,	:
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Plaintiff,	:
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-v-	:
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DEVLI PROPERTIES, INC.,	:
	:
Defendant.	:
	:
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The parties in this case submitted a proposed case management plan and joint letter in advance of the initial pretrial conference currently scheduled for May 26, 2021. But the joint letter, filed at ECF No. 14-1, does not include the information required by the Court's Order at ECF No. 5. Accordingly, the parties are instructed to confer and submit a revised joint letter complying with the Court's Order **no later than May 18, 2021**. The Court notes that in the proposed case management plan, the parties indicate that they consent to conducting all further proceedings before the assigned Magistrate Judge. ECF No. 14, at 1. If that is correct, and not a mistake, the parties should, **by the same date**, submit an executed consent form using the form identified in the model case management plan. (If either party does not consent, the parties need not do anything and the Court will take no further action on that front.)


Furthermore, in light of the COVID-19 situation, the Court will not hold the upcoming conference in this case in person. In their revised joint letter, the parties should **also** indicate whether they can do without a conference altogether. If so, the Court may enter a case management plan and scheduling order and the parties need not appear. If not, the Court will

hold the initial conference by telephone, albeit perhaps at a different time. To that end, counsel should indicate in their joint letter dates and times during the week of the conference that they would be available for a telephone conference. In either case, counsel should review and comply with the Court's Emergency Individual Rules and Practices in Light of COVID-19, available at <https://nysd.uscourts.gov/hon-jesse-m-furman>.

Finally, the Court notes that Plaintiff — with Defendant's consent — filed an Amended Complaint pursuant to Rule 15(a)(2) on April 28, 2021. *See* ECF Nos. 11 & 12. To date, Defendant has not yet answered or otherwise responded to the Amended Complaint, even though its time to do so expired on May 12, 2021. *See* Fed. R. Civ. P. 15(a)(3). The Court, *sua sponte*, grants Defendant a *nunc pro tunc* extension of the deadline to **May 20, 2021**.

SO ORDERED.

Dated: May 13, 2021
New York, New York



JESSE M. FURMAN
United States District Judge